

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, John D. Dobak III, a citizen of USA, residing at 2385 Ridgeway Row, La Jolla, CA 92037; and Juan C. Lasheras, a citizen of USA, residing at 6898 Via Estrada, La Jolla, CA 92037; declare that we are the original, first, and joint inventors of the subject matter of the invention entitled "An Inflatable Catheter for Selective Organ Heating and Cooling and Method of Using the Same", for which a patent is sought and which is described and claimed in the specification filed December 16, 1998 and assigned U.S. Application No. 09/215,038; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed copending applications U.S. Patent Application Serial No. 09/103,342 entitled "A Selective Organ Cooling Catheter and Method of Using the Same", filed June 23, 1998; and U.S. Patent Application Serial No. 09/047,012 entitled "Improved Selective Organ Hypothermia Method and Apparatus", filed March 24, 1998.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorney Mark Wieczorek, Reg. No. 37,966, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

Mark Wieczorek  
Del Mar Medical Technologies  
6199 Cornerstone Court East  
Suite 106  
San Diego, CA 92121  
(619) 677-6390 x119

Wherefore, we pray that letters patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at San Diego, CA, this 05 day of January, 1999.

Inventor J. D. Dobak, III  
John D. Dobak, III

Signed at San Diego, CA, this 15 day of January, 1999.

Inventor Juan C. Lasheras  
Juan C. Lasheras

Docket No. DMMT/US-010